



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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Sally Royal
Royal Hampton Motel
6 Ashworth Ave.
Hampton, New Hampshire 03842

LETTER OF DEFICIENCY
WMB PBF 02-47
August 8, 2002

Dear Ms. Royal:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 6, 2002, DES inspected the following public bathing facilities at the Royal Hampton Motel, in Hampton, NH: the outdoor pool ("Pool") and spa ("Spa") and the outdoor wader ("Wader"). During this inspection the following deficiencies were noted:

A recommendation to close and drain the Pool, Spa, and Wader was issued on August 6, 2002. The inspection on August 6, 2002 revealed that the Pool, Spa and Wader were in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed:

- (a) Pursuant to Env-Ws 1103.14(a)(2) the maximum allowable Heterotrophic Plate Count (HPC) in public bathing facility water is five hundred colony-forming units per one milliliter (500 cfu/mL). The Pool water contained greater than 50,000 cfu/mL. The Spa water contained greater than 50,000 cfu/mL. The Wader water contained greater than 50,000 cfu/mL.
2. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Pool water was less than 0.1 mg/L on August 6, 2002. The free chlorine residual of the Spa water was less than 0.1 mg/L on August 6, 2002. The free chlorine residual of the Wader water was less than 0.1 mg/L on August 6, 2002.
3. Pursuant to Env-Ws 1103.15(a), disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypochlorite or bromine tablets with control of the erosion rate. The Pool and Wader are currently being disinfected by hand feeding. The Pool and Wader are not using hypo-chlorite or bromine as the disinfectant.
4. Pursuant to Env-Ws 1103.16(a), disinfection of spa water shall be achieved by continuous feed equipment. Hypochlorite or bromine disinfection shall be used. The Spa is currently being disinfected by hand feeding. The Spa is not using hypochlorite or bromine as the disinfectant.
5. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Pool, Spa, or Wader water.
6. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Patron rules were not posted at the Pool at the time of the inspection.
7. Pursuant to Env-Ws 1104.03(d)(7), a clock shall be visible from all public spas. A clock was not visible from the Spa at the time of the inspection.

8. Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection.
9. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration systems for the Pool, Spa and Wader did not include flow meters.
10. Pursuant to Env-Ws 1105.01(k)(10), public swimming pools shall not be operated if an outlet grate is missing, broken or secured in such a way that it can be removed without the use of tools. One of the outlet grates /main drain covers for the Pool was broken. One of the outlet grates /main drain covers for the Spa was missing. One of the outlet grates /main drain covers for the Wader was broken.
11. Env-Ws 1103.11 (e) requires the deck area to slope ¼ inch per foot away from the pool. The deck area pitches towards the Pool.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- A copy of two weeks of water quality test results for all facilities (please do not send originals).
- 2. The type, manufacture, and model of the chlorine feeders to be installed.
- 3. The type, manufacture, and model of the flow meters to be installed.
- 4. The type, manufacture, and model of the main drain covers to be installed.
- 5. A timetable of when:
 - a. the safety items will be in place,
 - b. the depth will be marked,
 - c. patron rules will be posted,
 - d. the installation of the main drain covers will be completed,
 - e. the installation of the chlorine feeders will be completed, and
 - f. the installation of the flow meters will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspection in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

COPY

Jody Connor
Limnology Center Director

enclosures

cc: Mark Harbaugh, Enforcement Attorney, DES ✓
Russell A. Nylander, P.E., Chief Engineer, WD/DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Kevin Schultz, Health Officer, Town of Hampton
Ken Austin, Royal Hampton